

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

GINO ROMANO, and all others)
similarly situated,)
Plaintiff,)
VS.) Civil Action No. SA-12-MC-0605-XR
KIM KARDASHIAN a/k/a KIMBERLY)
NOEL "KIM" KARDASHIAN,)
TONY PARKER,)
EVA LONGORIA,)
KOURTNEY KARDASHIAN,)
Defendants.)

ORDER

On this date, the Court considered the United States Magistrate Judge's Report and Recommendation, filed July 6, 2012, in the above-numbered and styled case. (Docket no. 5). The Magistrate Judge recommends that Plaintiff's lawsuit be dismissed. (Docket no. 5). After due consideration, this Court accepts the Magistrate Judge's recommendation.

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file written objections within fourteen days after being served with a copy of the findings and recommendations. 28 U.S.C. § 636(b)(1)(2011). The Magistrate Judge's recommendation was mailed by certified mail. (Docket no. 7). No objections have been filed. Because no party has objected to the Magistrate Judge's Memorandum and Recommendation, this Court need not conduct a *de novo* review. *See* 28 U.S.C. § 636(b)(1) (2011) ("A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to

which objection is made.”).

The Magistrate Judge concluded that Plaintiff’s lawsuit should be dismissed because Plaintiff has not demonstrated that this Court has jurisdiction or that Plaintiff has stated a non-frivolous claim for relief sufficient to support granting of Plaintiff’s request to proceed in forma pauperis. This Court has reviewed the Memorandum and Recommendation and finds it to be neither “clearly erroneous nor contrary to law.” *See Thomas v. Arn*, 474 U.S. 140, 149, 106 S. Ct. 465 (1985). Accordingly, this Court ACCEPTS the Magistrate Judge’s Recommendation and DISMISSES Plaintiff’s lawsuit. The clerk’s office is directed to enter judgment.

It is so ORDERED.

SIGNED this 31st day of July, 2012.



XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE